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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA

Criminal No. 22-147 (FLW)

vs.

CONTINUANCE ORDER

JONATHAN RODRIGUEZ

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (by Eric Suggs, Assistant United States Attorney), and defendant Jonathan Rodriguez (by Andrea Bergman, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through December 5, 2022 to permit defense counsel the reasonable time necessary for effective preparation in this matter and to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement; and the defendant being aware that he has the right to proceed to trial within 120 days of his arrival in the receiving State (*i.e.*, this District) under the Interstate Agreement on Detainers Act ("IADA"); and no prior continuances having been entered; and the defendant having consented to this continuance and he and/or his counsel having waived such right on his behalf and with his counsel's concurrence in open court; and the United States having no opposition; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations may soon commence, and both the United States and the defendant seek additional time to achieve successful resolution of these negotiations, which would render any subsequent trial of this matter unnecessary;

(2) The defendant requires time to review discovery, and prepare and file appropriate motions, and otherwise prepare for trial;

(3) The defendant has consented to the aforementioned continuance;

(4) The parties anticipate the Third Circuit's decisions in *United States v. Lewis* (Dkt. No. 21-2621) and *United States v. Brasby* (Dkt. No. 21-1537) may impact the defendant's potential sentencing exposure;

(5) The Court has entered a scheduling order setting forth a briefing schedule for pretrial motions;

(6) The grant of a continuance will likely conserve judicial resources;

(7) Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

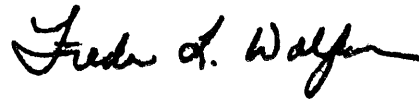
(8) Pursuant to the IADA, Article IV(c), good cause for this continuance request has been shown and this continuance request of the parties, including its length, is reasonable and necessary to allow the parties sufficient time to resolve this case through plea negotiations.

WHEREFORE, it is on this 1<sup>st</sup> day of September, 2022;

ORDERED that the proceedings scheduled in the above-captioned matter are continued under the Speedy Trial Act and the IADA from the date of this Order through and including December 5, 2022;

IT IS FURTHER ORDERED that the period from the date of this Order through and including December 5, 2022 shall be excludable in computing time under the Speedy Trial Act of 1974.

IT IS FURTHER ORDERED that the period from the date of this Order through and including December 5, 2022 shall be excludable in computing the 120 days within which the defendant is entitled to proceed to trial under the IADA.



Honorable Freda L. Wolfson  
United States Chief District Judge

Form and entry consented to:

s/ Eric Suggs

Eric Suggs  
Assistant U.S. Attorney



Andrea Bergman, Esq.  
Counsel for Defendant Jonathan Rodriguez

s/ Jonathan Rodriguez (by Andrea Bergman, AFPD, with authorization)

Jonathan Rodriguez